

REMARKS

Claims 16-57 and 81-94 are pending and are unamended.

Applicants' undersigned representative telephoned the Examiner on December 18, 2006 to inform the Examiner that Applicants wish to postpone the requested interview set for December 21, 2006, and that a Preliminary Amendment will be filed before the end of the week, and that any Restriction Requirement that is given should be based on the claims in the forthcoming Preliminary Amendment, not on the originally filed claims. Applicants electronically filed the Preliminary Amendment on December 22, 2006.

Despite the December 18 communication, a Restriction Requirement was mailed out on December 28, 2006, and was incorrectly based on the original set of claims. Since the Preliminary Amendment was filed prior to the mailing date of the Restriction Requirement, Applicants request withdrawal of the Restriction Requirement and examination of the currently pending claims filed in the Preliminary Amendment.

In a telephone call with the Examiner on December 29, 2006, the Examiner requested that a formal response to the Restriction Requirement be filed to facilitate Applicants' request for withdrawal of the Restriction Requirement issued on the incorrect set of claims. This paper is being submitted in response to that request.

Respectively submitted,

Brian Smyth *et al.*

January 2, 2007 By: Clark Jablon
(Date)
CLARK A. JABLON
Registration No. 35,039
AKIN GUMP STRAUSS HAUER & FELD LLP
One Commerce Square
2005 Market Street, Suite 2200
Philadelphia, PA 19103-7013
Telephone: 215-965-1200
Direct Dial: 215-965-1293
Facsimile: 215-965-1210
E-Mail: cjablon@akingump.com